

REMARKS

Claims 1-16 were previously pending in the application. Claim 8 has been amended and Claims 1-7 and 8-16 remain unchanged.

First, Applicants believe final rejection of the present application was made prematurely. Accordingly, Applicants respectfully request reconsideration and withdrawal of the finality of the Office action dated February 1, 2005. Before final rejection is in order a clear issue should be developed between the examiner and applicant. Applicants have been seeking to define their invention in claims that are patentable over the prior art and believe they have failed to reach a clear issue due to the new grounds of rejection in the recent Office action. Applicants wish to at least establish a clear issue before appeal regarding the plurality of detent bosses and connection devices joining the first and second bodies, as described below.

The claims stand rejected under the cited prior art of record. Specifically, Claims 1-3, 5-10 and 12-16 are rejected under 35 USC §102(b) as being anticipated by Took (US 6,155,741). Claims 4 and 11 are rejected under 35 USC §103(a) as being unpatentable over Took in view of Usui (US 5,678,953) and Allegrucci (US 5,100,046).

Independent Claim 1 recites a joining device for attaching a body, comprising: a first body having a first wall with an inner side and extending substantially at a right angle to a second wall of a second body, said first body being inserted into said second body; a plurality of detent bosses connected to said inner side of said first wall, said plurality of detent bosses each being pressed by force into a respective one of detent openings formed in the second body, and said plurality of detent bosses being encircled by the second body in a pressed-in state; and a plurality of connection devices each disposed in said first body for exerting the force on a respective one of said detent bosses.

Took discloses a GRP cable ladder assembly having side rails (10), a plurality of transverse rungs (12), and a separate fastening device or collet (22) for connecting each rung to the rails. The collet (22) comprises a block of plastic material having a slot (26) and two leg sections (28, 30), and projections (36) extend from the legs.

Took does not disclose a joining device as recited in Claim 1. Applicants previous Amendment, dated November 10, 2004, added the limitations to Claim 1 that the joining device includes a **plurality** of detent bosses connected to the first wall and being pressed into

a respective one of detent openings formed in the second body. Claim 1 was also amended to recite a **plurality** of connection devices each disposed in said first body. Therefore, the first body includes a plurality of detent bosses and a plurality of connection devices connecting the first body to the second body.

In the Final Office action, dated February 1, 2005, the Examiner responded to these amendments by citing Took, column 3, lines 35-40, which states:

Referring to the drawings, FIG. 1 shows the arrangement clearly, and in this figure a rail 10 of part of a GRP cable ladder made up of a pair of symmetrically arranged rails 10, and plurality of transverse tubular runs of which one is indicated by 12, is shown. The tubular rung is of square section in this example, although it could be of any appropriate configuration.

The Examiner contends that this passage from Took supports the position that the pair of rails (10) and the plurality of rungs (12) in turn discloses a plurality of detent bosses and a plurality of connection devices. However, this is also a key difference between the invention recited in Claim 1 and Took. In Claim 1, the plurality of detent bosses and plurality of connection devices connect the first body to the second body. In Took, the plurality of rails (10) and rungs (12) are additional bodies, such as third, fourth, or fifth bodies, not the same second body as recited in Claim 1. Took does not disclose a plurality of detent bosses and connection devices that connect the same first and second bodies, as recited in Claim 1.

More specifically, Claim 1 recites “a **plurality** of detent bosses connected to said inner side of said **first wall**, said **plurality** of detent bosses each being pressed by force into a respective one of detent openings formed **in the second body**.” (emphasis added) Even if Took does include multiple collets (which are not shown) connected to the rail (10) and having a plurality of detent bosses, these detent bosses are not pressed into respective detent openings formed in **the same second body**. The additional collets and connecting devices of Took would all engage other bodies (or rungs), not the second body as recited in Claim 1.

Furthermore, Claim 1 also recites “said plurality of detent bosses being encircled by **the second body** in a pressed-in state.” (emphasis added) As described above, Took does not disclose a plurality of detent bosses pressed into openings formed in the second body. However, even if Took includes multiple collets (which are not shown) having a plurality of

detent bosses, Took does not disclose the detent bosses being encircled by **the second body**, as recited in Claim 1.

Took discloses a ladder. Accordingly, each collet extends into a separate rung spaced linearly along the rail. The elongated linear ladder configuration of Took teaches away from the claimed invention because the ladder configuration is specifically intended to space the rungs over a great distance to allow a person to climb the ladder and reach a desired height. The present invention, as recited in Claim 1, the detent bosses are encircled by the second body. Therefore, spacing the rungs or multiple bodies apart from one another in an elongated linear direction teaches away from encircling the detent bosses with the same second body.

For these and other reasons, Took does not disclose the subject matter defined by independent Claim 1. Therefore, Claim 1 is allowable. Claims 2-7 depend from Claim 1 and are allowable for the same reasons and also because they recite additional patentable subject matter.

Independent Claim 8 recites a joining device for attaching to a first body, which is inserted into a second body, the first body having a first wall extending substantially at a right angle to a second wall of the second body, the joining device comprising: a plurality of detent bosses connected to an inner side of the first wall and said plurality of detent bosses each being pressed by force into a respective one of detent openings formed in the second body, said plurality of detent bosses being encircled by the second body in a pressed-in state; and a plurality of connection devices each disposed in the first body for exerting the force on a respective one of said detent bosses, each of the plurality of connection devices maintaining the corresponding detent boss in the pressed-in-state in the corresponding opening to engage the first body to the second body.

Took does not disclose a joining device as recited in Claim 8. Claim 8 recites substantially the same limitations recited in Claim 1, including “a plurality of detent bosses connected to an inner side of the first wall and said plurality of detent bosses each being pressed by force into a respective one of detent openings formed in the second body, said plurality of detent bosses being encircled by the second body in a pressed-in state; and a plurality of connection devices each disposed in the first body for exerting the force on a respective one of said detent bosses.” Therefore, the arguments above for Claim 1 regarding

a plurality of detent bosses and a plurality of connection devices connecting the first and second bodies also apply for Claim 8.

In addition, Claim 8 has been amended and further recites each of the plurality of connection devices maintaining the corresponding detent boss in the pressed-in-state in the corresponding opening to engage the first body to the second body. As described above, Took does not disclose the plurality of detent bosses and plurality of connection devices for engaging the first body to the second body. Rather, Took discloses connecting the rail to a plurality of different bodies or rungs. Therefore, Took does not disclose all the limitations recited in Claim 8.

For these and other reasons, Took does not teach or suggest the subject matter defined by independent Claim 8. Therefore, Claim 8 is allowable. Claims 9-14 depend from Claim 8 and are allowable for the same reasons and also because they recite additional patentable subject matter.

Independent Claim 15 recites a kitchen appliance, comprising: a first body having a first wall with an inner side and being a first housing part of the kitchen appliance; a second body having a second wall with a plurality of detent openings formed therein and being a second housing part of the kitchen appliance, said first body being inserted into said second body, said first wall extending substantially at a right angle to said second wall of said second body; and a joining device containing: a plurality of detent bosses connected to said inner side of said first wall, said plurality of detent bosses each being pressed by force into a respective one of said detent openings of said second body, and said plurality of detent bosses being encircled by said second body in a pressed-in state; and a plurality of connection devices each disposed in said first body for exerting the force on a respective one of said detent bosses.

Took does not disclose a joining device as recited in Claim 15. Claim 15 recites substantially the same limitations recited in Claims 1 and 8, including “a plurality of detent bosses connected to said inner side of said first wall, said plurality of detent bosses each being pressed by force into a respective one of said detent openings of said second body, and said plurality of detent bosses being encircled by said second body in a pressed-in state; and a plurality of connection devices each disposed in said first body for exerting the force on a respective one of said detent bosses.” Therefore, the arguments above for Claims 1 and 8

regarding a plurality of detent bosses and a plurality of connection devices connecting the first and second bodies also apply for Claim 15.

For these and other reasons, Took does not teach or suggest the subject matter defined by independent Claim 15. Therefore, Claim 15 is allowable. Claim 16 depends from Claim 15 and is allowable for the same reasons and also because it recites additional patentable subject matter.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 1-16 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. Please note that Applicants have changed representation and are now represented by new counsel. The formal Revocation of Power of Attorney / New Power of Attorney and Change of Correspondence Address documents will be forthcoming.

Craig J. Loest

Name of Attorney Signing under 37 CFR 1.34

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig J. Loest", with a stylized flourish at the end.

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